

ALPINE CITY COUNCIL MEETING
Alpine City Hall, 20 N. Main, Alpine, UT
April 14, 2015

I. CALL MEETING TO ORDER: The meeting was called to order at 7:05 pm by Mayor Don Watkins. He welcomed everyone on a stormy night noting that the power was out and the meeting would be conducted using a generator and work lamps.

A. Roll Call: The following were present and constituted a quorum:

Mayor Don Watkins

Council Members: Lon Lott, Roger Bennett, Will Jones, Troy Stout, Kimberly Bryant

Staff: David Church, Shane Sorensen, Jason Bond, Charmayne Warnock, Chief Brian Gwilliam

Others: Rick Hellstrom, Kevin Mulvey, Tad Hansen, Charlie Fox, Eleanor Fox, Larry Hilton, Representative Mike Kennedy, Louise Innocenti, Jane Griener, Craig Skidmore, Janis Aden, Jackson Aden, Evertt Williams

B. Prayer: Troy Stout

C. Pledge of Allegiance: Craig Skidmore

II. PUBLIC COMMENT: None

III. CONSENT CALENDER

A. Approve the minutes of March 24, 2015

MOTION: Will Jones moved to approve the minutes of March 24, 2015 as corrected. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Will Jones, Troy Stout, Roger Bennett, Kimberly Bryant, Lon Lott voted aye. Motion passed.

IV. REPORTS AND PRESENTATIONS

A. 2015 Legislative Report - Representative Mike Kennedy: Commenting on the power outage and the use of a generator and shop lights to conduct the meeting, Mr. Kennedy said it was nice to see that Alpine City had a backup plan and a generator that they could use in the event of an emergency.

He said he would be brief in his report because he had to attend a suicide prevention meeting that same evening. They were hoping to have state and local officials work together to resolve the increasing rate of suicides in the communities and state. Members of the Council also expressed their grave concerns about the number of suicides in the area, and hoped to find some solution to prevent them.

Regarding finances, Mr. Kennedy said the state of Utah had a surplus of 700 million dollars, which they spent, and they also raised taxes. The gas tax went up. Property taxes for schools increased. He said he was disappointed in some of the financial decisions that had been made and voted against the tax increases. He noted that spending for schools had increased. This year they had a budget of 14 billion dollars. The previous year they had a budget of 13 billion. He said the economy seemed to go through seven-year cycles. Based on that assumption, they were in year five of the current cycle. He expected things would get worse and they needed to prepare for a rainy day. Other issues the state legislature had been dealing with were religious freedom, gay marriage and the expansion of Medicaid.

B. Trails Committee Report: Evertt Williams presented an overview of the work the Trail Committee had been doing. He requested that the City Council adopt trail standards based on the US Forest Service trail standards. Not all the standards would be immediately implemented but it would give them concrete standards for improvements, maintenance and repairs on trails, bridges, signs, parking, facilities, and weed control in Lambert Park. He estimated that there were 20 major improvements they wanted to make in Lambert Park and hopefully execute them on June 6th which was National Trail Day. They hoped to have 200 to 300 volunteers which would be divided into teams to work on specific projects. The number of projects they had would be dependent on the funding they had. He said they'd been told they would have \$5,000 available and hoped the Council would approve that.

Regarding maintenance of trails, Mayor Watkins asked if they had thought about having citizens adopt some trails to take some of the load off staff. Evertt Williams said they had talked about that. Having specific trail standards would be beneficial when they had Eagle Scout projects or volunteers helping in the park. They would need to coordinate their efforts with City staff.

There were more questions from the Council and discussion about the plan. Mr. Williams said the improvements they wanted to make would be ranked according to the available funds and their capacity to do the work. Bridges in the park were a particular concern. Having standards would help.

MOTION: Troy Stout moved to endorse the Trail Committee's recommendation that Alpine City adopt the US Forest Service trail standards, and approve a budget of \$5,000 as requested, and support the plans for June 6th as a Trail Day. Will Jones seconded. Ayes: 5 Nays: 0. Troy Stout, Will Jones, Roger Bennett, Kimberly Bryant, Lon Lott voted aye. Motion passed.

Craig Skidmore said he had served on the Trail Committee for five years and he supported the idea of trail standards. He said when he was on the committee they leaned toward narrow bridges so the ATVs would not use them. Also, he said he had observed that when they used boards with knots in them for the bridges, they didn't last very long.

V. ACTION/DISCUSSION ITEMS

A. Dominion Insurance Building Site Plan - Larry Hilton: Jason Bond said the proposed site plan was located on lot B of the Alpine Olde Towne Centre planned commercial development. The plan showed three levels with a total of 7,490 square feet. Gateway Historic guidelines applied to this location. The Planning Commission had reviewed it and recommended approval with some exceptions.

The first exception was for the setback on the north side which showed a covered drive-through with a patio space on the top of it. The setback for commercial buildings was 20 feet but could be reduced with the recommendation of the Planning Commission and approval of the City Council. As shown, the drive-through would be a few feet from the property line. It was adjacent to another commercial property. Larry Hilton estimated it would be about five feet away from the property line.

Troy Stout asked if the owners of the adjacent property had been consulted. Jason Bond said they had not. Mr. Stout asked what the distance would be between the proposed building and existing buildings on the adjacent lot. Mr. Hilton estimated it was about 20 feet.

The next exception approved shared parking between the offices and the dining area. Jason Bond explained that 30 parking spaces would be required for the total office square footage but the basement would be uninhabitable and would be excluded from the parking calculation, resulting in the reduced requirement for 21 parking spaces. The applicant was planning to have a restaurant inside the office building. During office hours he calculated the dining area would use sixteen seats which would require four parking spaces. The developer was increasing the parking to 25 spaces to accommodate the daily use of the restaurant. However, he expected more patrons during evenings and on weekends so he wanted to use some of the spaces normally used for the offices to be approved for use by the dining area on weekends and evenings.

There was a discussion about what would happen if some businesses decided to stay open later or work on the weekend. David Church said that would be an issue the business owners would have to work out internally. Parking was not permitted on the street.

Roger Bennett asked if the additional four spaces for dining would be taking away from the required landscaped area. David Church said the parking would all be located on the building pad. The building envelope was actually smaller than designated so it freed up space for additional parking spaces. The landscaping requirement would be met for the entire planned commercial development, and would be outside the individual building pads. There was a question about whether or not sidewalks were considered part of the landscaping, but there was no definite answer.

MOTION: Lon Lott moved to approve the site plan for the Dominion Insurance Building with the following approvals and conditions:

1. An exception to the setback be granted on the north side of the building where the covered drive-through would be located.
2. Shared parking for the dining space for evenings and weekends be approved.
3. Landscaping of 20% be verified for the entire site.
4. The preliminary architectural design drawings were approved.
5. A grading and drainage plan be provided for the drive-through showing no conflicts with the existing storm drainage system. No drainage would be discharged onto the adjacent lot.
6. A bond shall be provided for the drive-through roadway improvements.
7. Appropriate signs, to be approved by staff, designate a crosswalk for the drive-through.
8. Trees shall not obstruct any sightlines on Main Street.
9. There shall be a deed restriction recorded on the plat stating that the basement is uninhabitable.

Kimberly Bryant seconded. Ayes: 5 Nays: 0. Lot Lott, Kimberly Bryant, Roger Bennett, Will Jones, Troy Stout voted aye. Motion passed.

B. East View, Plat F - Final Plan - Approximately 800 N. Patterson Lane - Patterson Construction:

Jason Bond said that the developer had received preliminary approval from the Planning Commission for 9 lots on 4.15 acres. The developer planned to phase the development and build the first 6 lots in Phase I. The remaining lots in the proposed development had existing structure on them which the developer wanted to leave in place for a time.

The development would be accessed from East View Lane via Patterson Lane. The developer had supplied a right-of-way dedication that would be recorded with Phase I to ensure alignment and connection with the existing Patterson Lane when the rest of the property was ready for development.

Jason Bond said the Planning Commission had recommended final approval of Phase I with conditions, one of which was that the name of Patterson Lane be changed since it was not connected to the existing Patterson Lane and could create confusion. Shane Sorensen said the reason the new section of road was named Patterson Lane was because it would eventually connect to the existing Patterson Lane.

MOTION: Kimberly Bryant moved to grant final approval to East View, Plat F, Phase I subject to the following conditions:

1. The developer address the redlines and provide an updated cost estimate.
2. The developer meet the water policy with Alpine Irrigation Company shares.
3. The proposed road "Patterson Lane" be changed to a different name due to it not being connected straight across from the existing Patterson Lane.
4. The southwest corner of lot 9 as shown be dedicated to Alpine City as right-of-way.

Will Jones seconded. Ayes: 5 Nays: 0. Lot Lott, Kimberly Bryant, Roger Bennett, Will Jones, Troy Stout voted aye. Motion passed.

C. Questar Proposals

1. Questar Easement - Burgess Park: Shane Sorensen said Questar requested that the City grant a new natural gas line easement and alignment through Burgess Park. The original easement was 16 feet wide went through the ball diamond. Questar had agreed to move it closer to the perimeter of the park to avoid the ball diamond. They were requesting additional footage to increase the easement to 20 feet wide. The City would be compensated \$19,720 for the additional easement.

MOTION: Will Jones moved to approve Questar's request to increase the right-of-way and easement in Burgess Park to 20 feet wide for a payment of \$19,720.00. Troy Stout seconded. Ayes: 5 Nays: 0. Lot Lott, Kimberly Bryant, Roger Bennett, Will Jones, Troy Stout voted aye. Motion passed.

2. Questar Test and Staging Area: Shane Sorensen said Questar would like to temporarily use Alpine property for 18 months as a staging, cleaning and testing area for the new natural gas pipe line they were installing from Draper through Alpine. They offered the City \$17,563.00 for 18 months of usage. Shane Sorensen said the area in question was about three-fourth of an acre. Questar had agreed to clean it up and revegetate it when they were done.

MOTION: Roger Bennett moved to approve Questar's request to use Alpine property as a temporary testing and staging area for \$17,563.00 with the condition that they would clean it up and restore it, and implement fire safety rules. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Lot Lott, Kimberly Bryant, Roger Bennett, Will Jones, Troy Stout voted aye. Motion passed.

D. Access Across City Open Space for Construction Projects

1. Ron Robinson at 22 S. Pfeifferhorn Drive: Mr. Robinson said he would like to access the back of his property by way of the trail that ran along the back of the lots in order to bring in 60 to 80 tons of rock and dump it onto the back of his lot. Using the rock for landscaping would reduce his maintenance and water use. He expected the work would take one day.

Shane Sorensen said the Salt Lake Metropolitan Water District actually owned the easement closer to Westfield Road and they would have to get permission from them. It was suggested that it would probably be easier to access the trail from the north end.

The Council discussed the fact that a number of property owners in that area used the trail to access their property but no one but Mr. Robinson had asked for permission. Will Jones said the City should have a policy for use of the Westfield Trail by property owners.

MOTION: Will Jones moved to adopt a policy for property owners who wanted to use the Westfield Trail to access their property. They would be required to seek permission, use the access for specified time, and completely restore the area. Mr. Robinson would be allowed to use the trail for access for five days and would be required to restore any damage. Roger Bennett seconded. Ayes: 5 Nays: 0. Lot Lott, Kimberly Bryant, Roger Bennett, Will Jones, Troy Stout voted aye. Motion passed.

2. Jim Loveland at 746 S. High Ridge Circle: Tad Hansen represented Mr. Loveland and said they would like to access from Ridge Lane and across the open space to get into their backyard. He expected it would take four to five months to accomplish the work they needed to get down. There would be no staging on the street or on the open space. It would all be done on the Loveland property. They would only be using the open space for access.

The Council discussed the existing damage in the open space done by others, and agreed to let Mr. Loveland have access provided he restored the four-foot-wide trail with road base and hydro-seed either side of the trail, and place rocks at the entrance to discourage vehicles from using the trail.

MOTION: Will Jones moved to allow Jim Loveland to have access over the City open space for up to four or five months with the following conditions:

1. The City trail will be restored with road base to a width of four feet and hydro-seeded on either side;
2. Two big rocks will be placed at the entrance of the trail;
3. A trail marker will be posted;
4. An open space bond will be posted with the City.

Kimberly Bryant seconded. Ayes: 5 Nays: 0. Lot Lott, Kimberly Bryant, Roger Bennett, Will Jones, Troy Stout voted aye. Motion passed.

E. Lone Peak Public Safety District (PSD) Interlocal Agreement Amendment: It was proposed that the PSD Interlocal Agreement between Alpine, Cedar Hills, and Highland be amended to increase the time frame in which a city must give notice to the PSD that they were going to withdraw from 12 months to 24 months.

MOTION: Will Jones moved to approve the amendment to the Lone Peak Public Safety District Interlocal Agreement. Troy Stout seconded. Ayes: 5 Nays: 0. Lot Lott, Kimberly Bryant, Roger Bennett, Will Jones, Troy Stout voted aye. Motion passed.

F. Resolution No. R2015-05 - Municipal Waste Water Planning Program - Self Assessment Report: Shane Sorensen said this was yearly report the City had to submit to the Division of Water Quality.

MOTION: Troy Stout moved to approve the Municipal Waste Water Planning Self Assessment. Roger Bennett seconded. Ayes: 5 Nays: 0. Lot Lott, Kimberly Bryant, Roger Bennett, Will Jones, Troy Stout voted aye. Motion passed.

G. Planning Commission Appointment: Mayor Watkins said he had previously appointed Dave Fotheringham and Judi Pickell to the Planning Commission. He recommended Jane Griener be appointed to fill the vacancy left by Chuck Castleton. There were 8 months remaining in the term.

David Church said that appointments were one of the few things that the Mayor had a voice in and the Council should respect that.

MOTION: Troy Stout moved to approve the appointment of Jane Griener to the Planning Commission. Kimberly Bryant seconded. Ayes: 3 Nays: 2. Troy Stout, Kimberly Bryant voted aye. Roger Bennett and Will Jones voted nay. Motion passed

Roger Bennett said he had a problem with appointing another member to the Planning Commission from the northeast area of town which was already heavily represented on both the Planning Commission and City Council.

Steve Cospers said there were two things he felt were critical in serving on the Planning Commission: First, a commitment to attend the meetings. When someone was absent, it made it difficult. Second, a commitment to serve on the Planning Commission for more than a short time. He said it took a long time to learn the role of a planning commission member and he didn't want the seat to be just a stepping stone to another responsibility.

H. Street Tree Guidelines Development Contract: Shane Sorensen said there were too many instances in the City of tree roots that had lifted and broken the sidewalks, and having guidelines about what trees could be planted in park strips would hopefully alleviate the problem. They had Alpine residents who were landscape architects that would create guidelines for trees that could be planted along the street. It would cost \$1,800.

MOTION: Will Jones moved to approve the contract to develop street trees guidelines. Lon Lott seconded. Ayes: 5 Nays: 0. Lot Lott, Kimberly Bryant, Roger Bennett, Will Jones, Troy Stout voted aye. Motion passed.

I. Utah County 2015 Municipal Recreation Grant: Jason Bond said the application for the municipal recreation grant was attached. The City qualified for a grant of \$5,527.00 which they were proposing to use to help build the public restrooms in Moyle Park. It would be used in combination with previously received grants.

MOTION: Will Jones moved to approve the application for the Utah County Municipal Recreation Grant with the funds to be used to build the restrooms in Moyle Park. Lon Lott seconded. Ayes: 5 Nays: 0. Will Jones, Lon Lott, Roger Bennett, Troy Stout, Kimberly Bryant voted aye. Motion passed.

J. Ordinance No. 2015-05 - Amendment to Section 3.9.4.3 of the PRD Ordinance relating to Open Space: Jason Bond said the proposed amendment would require the approval of the City Council in the process for

receiving an exception to the requirement that an individual lot that may not contain ground with a slope of more than 25%.

MOTION: Will Jones moved to adopt Ordinance No. 2015-05 amending the process for granting exceptions to Section 3.9.4.3 or the PRD Ordinance. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Will Jones, Lon Lott, Roger Bennett, Troy Stout, Kimberly Bryant voted aye. Motion passed.

K. Prohibition of parking low-profile objects on a city street at night: This issue was raised at the previous meeting by Troy Stout who had concerns about the safety hazards posed by trailers and other things being left in the street at night. When they didn't have reflectors, someone driving down the road was likely to crash into it. David Church pointed out that if something was not licensed, it was already illegal to park it in the street and it could be removed immediately.

Chief Brian Gwilliam said the police department just needed direction from the City Council. They could either tag the equipment and allow the owner to remove it themselves or they could have it towed.

David Church said he would write an ordinance so the Council could have something to vote on.

L. Reconsideration of Voting by Mail: City Recorder Charmayne Warnock reviewed some reasons why the Council may want to reconsider voting by mail.

1. The state legislature had passed new legislation that cities were not required to put postage on return envelopes for voting by mail, which would significantly reduce the cost.
2. Cities in Utah County could use the same postage rate as the county which further reduced the cost of voting by mail.
3. People who wanted to go to the polls on Election Day would still have that option. There would be a voting center in City Hall for people to come in and cast their ballot.
4. Voting by mail would eliminate the mandatory Early Voting period. Cities that did not vote by mail were required to provide two weeks of early voting prior to Election Day for both the Primary and General Elections. That required a minimum of three poll workers per voting station everyday for four weeks at \$12/hr. If Early Voting was eliminated, it would save at least \$2,592 per polling location.
5. Eliminating Early Voting would not only save money, but it was becoming increasingly difficult to find poll workers to work on Election Day, much less work for four weeks of Early Voting.

Lon Lott asked how they verified that the person voting the absentee ballot was the same person it was meant for. Charmayne Warnock said that the registered voter was required to sign the affidavit on the outside of the return envelope. That signature was compared with the signature on the voter registration and verified. The name of that person was then checked off the list so the poll worker knew that person had already voted. That would prevent someone from coming in on Election Day and voting again.

MOTION: Will Jones moved to approve Voting-by Mail. Lon Lott seconded. Ayes: 3 Nays: 2. Will Jones, Roger Bennett, Lon Lott voted aye. Troy Stout and Kimberly Bryant voted nay. Motion passed.

M. Open/Closed Meeting and Conflict of Interest Training - David Church: Mr. Church passed around a handout on Conflict of Interest. Officials were required to disclose the following: 1) Compensation for assistance in a transaction with the city; 2) Interest in a business regulated by the city; 3) Interest in a business doing business with the city; 4) Personal interest or investment which created a conflict with public duties.

Criminal Conflict of Interests were: 1) Disclosing or improperly using private, protected, or controlled information for economic gain or to obtain special privileges; 2) Using or attempting to use your position to obtain economic gain or secure special privileges; 3) Accepting or soliciting a gift or economic benefit tantamount to a gift that is given to influence you in your duties or reward you for performing your duties, (except if less than \$50, campaign contribution, bona fide loan, or public reward.)

Open Meetings: David Church said that the Open Meetings Act applied to any body officially created by ordinance that consisted of two or more individuals who had the authority to make decisions. The meeting had to be noticed. There had to be an agenda, minutes written, and a recording made. Votes on all issues were to be recorded by name. The public were allowed to attend the meeting. The Open Meeting Act applied to such committees as the cemetery commission and the trail committee.

In describing what constituted a meeting, Mr. Church said that if a quorum of the members were convened, whether formally or informally, and discussed business, it was a meeting. Social events or chance meetings did not constitute a meeting.

VI. STAFF REPORTS

Jason Bond said that new carpet would be installed in City Hall beginning the next day.

Shane Sorensen passed out copies of the Tentative Budget to the Council Members and reminded them to schedule a time for an individual meeting with staff to go over the budget.

Regarding Burgess Park, Shane Sorensen reported that work on the tennis courts and pickle ball courts in Burgess Park was progressing. He said the cost of lighting the courts would be about the same as just running the conduit for future lighting. The courts had lights in the past. The lights had been on a timer could not be turned on after a certain hour. The Council indicated it would be okay to go ahead and light the courts.

VII. COUNCIL COMMUNICATION

Troy Stout apologized and said he would be out of town for the June 6th Trail Day, but would like to be there to help out.

The Council briefly discussed progress on the Obere Annexation. The Planning Commission would be working on a development agreement with Obere.

Will Jones asked if RFPs had been received for the auditor and building department. Charmayne Warnock said there had been a lot of requests for the RFP.

Kimberly Bryant asked if the Council would be doing the breakfast for the Memorial Day program and said she felt it was a nice way for the Council to connect with the citizens. Will Jones said he'd been the only Councilman at the breakfast for the last two Memorial Day programs. This year, a veteran of the Viet Nam war, Lynn Higgins, had taken over the Memorial Day program. They would be serving refreshments but no breakfast.

Lon Lott said Harvey Hutchinson would like some help moving a piece of granite for a marker in the Silverleaf Park. Public Works would be contacted.

MOTION: Troy Stout moved to adjourn. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Troy Stout, Will Jones, Roger Bennett, Kimberly Bryant, Lon Lott voted aye. Motion passed.

The meeting was adjourned at 10:25 pm.